

IN THE CLAIMS

The claims are amended as follows:

1. (Currently Amended) A method for communicating a message over a data path, the method comprising:

forming a plurality of individual data segments together representing the message, each data segment having control data;

estimating a quality of the data path;

determining, based on the estimated quality, an interval between data segments that are to be communicated over the data path in a first segment format that includes a first amount of control data, the interval decreasing when the estimated quality decreases;

for each data segment, if the determined interval has passed, selecting the first segment format, and otherwise selecting a second segment format, the second segment format including a second amount of control data, the second amount being less than the first amount; and

transferring the data segments over the data path; path.

~~characterised in that the quality of the data path is estimated and the format of each data segment is selected from one of a first segment format including a first amount of control data and a second segment format including a second amount of control data, the second amount being less than the first amount, in dependence on quality of the data path;~~

~~wherein the method comprises selecting the first format with increasing frequency when the estimated quality of the data path decreases.~~

2. (Currently Amended) A method as claimed in claim 1, wherein the ~~method comprises selecting one or more segment formats that included a greater amount of control data increasingly when the estimated quality decreases~~ interval is a number of data segments between zero and infinity.

3. Cancelled

4. (Previously Presented) A method as claimed in claim 1, wherein the data segments are packets.

5. (Original) A method as claimed in claim 4, wherein the control data is comprised in a header and/or trailer of each packet.

6. (Currently Amended) A method as claimed in claim 5, wherein the available segment formats include a first format including a first amount of control data and a second format including a second amount of control data, the second amount being less than the first amount, and wherein the method comprises selecting the first format with increasing frequency when the indicated quality of the link decreases and further wherein first format is a format having a non-compressed header and the second format is a format having a compressed header.

7. (Previously Presented) A method as claimed in claim 1, wherein the quality of the data path is estimated by means of one or more of the following measures: signal to interference ratio, bit error rate, power loss over the data path, required transmission power over the data path, delay over the data path.

8. (Previously Presented) A method as claimed in claim 1, wherein the data path includes a portion over which no bit error correction protocol is applied.

9. (Previously Presented) A method as claimed in claim 1, wherein the data path includes a portion constituted by a radio link.

10. (Currently Amended) A method as claimed in ~~any preceding claim~~ claim 1, wherein the data segments are formed and transferred according to one or more of the following protocols: TCP, IP, UDP, RTP.

11. (Previously Presented) A method as claimed in claim 1, wherein each packet includes message data representing at least part of the message.

12. (Original) A method as claimed in claim 11, wherein the available segment formats do not differ in their ability to comprise message data.

13. (Previously Presented) A method as claimed in claim 11, wherein the control data of each segment includes first control data for permitting control of the transmission and/or reception of the segment and second control data for permitting detection and/or correction of errors in the first control data.

14. (Original) A method as claimed in claim 13, wherein the available segment formats including greater amounts of first control data include greater amounts of second control data.

15. (Currently Amended) A communication system for communicating a message over a data path, comprising:

data forming apparatus ~~for forming~~ configured to form a plurality of individual data segments together representing the message, each data segment having control data;
~~data transfer apparatus capable of transmitting the data segments over the data path;~~

~~characterised in having:~~

~~path quality estimation apparatus for estimating the quality~~ configured to estimate a quality of the data path ~~and in the data forming apparatus the format of each data segment being selected from one of a first segment format including a first amount of control data and a second segment format including a second amount of control data, the second amount being less than the first amount, in dependence on the quality of the data path and the first format being selected with increasing frequency when the estimated quality of the data path decreases;~~

segment format determining apparatus configured to determine based on the estimated quality an interval between data segments that are to be communicated over the data path in a first segment format that includes a first amount of control data, the interval decreasing when the estimated quality decreases;

segment format selecting apparatus configured to select, for each data segment, the first segment format if the determined interval has passed, and otherwise selecting a second segment format, the second segment format including a second amount of control data, the second amount being less than the first amount; and
data transfer apparatus configured to transmit the data segments over the data path.

16. (New) A communication system as claimed in claim 15, wherein the interval is a number of data segments between zero and infinity.

17. (New) A communication system for communicating a message over a data path, comprising:

means for forming a plurality of individual data segments together representing the message, each data segment having control data;

means for estimating a quality of the data path;

means for determining based on the estimated quality an interval between data segments that are to be communicated over the data path in a first segment format that includes a first amount of control data, the interval decreasing when the estimated quality decreases;

means for selecting for each data segment the first segment format if the determined interval has passed, and otherwise selecting a second segment format, the second segment format including a second amount of control data, the second amount being less than the first amount; and

means for transferring the data segments over the data path.

18. (New) A transmission apparatus for transmitting a message over a data path, comprising:

means for forming a plurality of individual data segments together representing the message, each data segment having control data;

means for estimating of a quality of the data path;

means for determining based on the estimated quality an interval between data segments that are to be communicated over the data path in a first segment format that includes a first amount of control data, the interval decreasing when the estimated quality decreases;

means for selecting for each data segment the first segment format if the determined interval has passed, and otherwise selecting a second segment format, the second segment format including a second amount of control data, the second amount being less than the first amount; and

means for transferring the data segments over the data path.

19. (New) A transmission apparatus as claimed in claim 18, wherein the transmission apparatus is a mobile terminal.

20. (New) A transmission apparatus as claimed in claim 18, wherein the transmission apparatus is a base station.

21. (New) A computer program embodied in transmission apparatus for transmitting a message over a data path, the computer program being configured to perform the functions of:

forming a plurality of individual data segments together representing the message, each data segment having control data;

estimating a quality of the data path;

determining based on the estimated quality an interval between data segments that are to be communicated over the data path in a first segment format that includes a first amount of control data, the interval decreasing when the estimated quality decreases;

for each data segment, if the determined interval has passed, selecting the first segment format and otherwise selecting a second segment format, the second segment format including a second amount of control data, the second amount being less than the first amount; and

transferring the data segments over the data path.